

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Community Connections
Accountability Review - Monitoring Report 2012-2013

Team Members: Donna Huber and Chris Sargent, Education Specialists; and Dave Halverson, Transition Liaison

Dates of On Site Visit: April 3, 2013

Date of Report: May 2, 2013

All non-compliance must be corrected within 1 year of this report date.

Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
-

State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

ARSD 24:05:25:04. Evaluation procedures -- General. School districts shall ensure, at a minimum, that evaluation procedures include the following

(5) A variety of assessment tools and strategies are used to gather relevant functional, developmental, and academic information about the child, including information provided by the parents, that may assist in determining:

- (a) Whether the child is a child with a disability; and
- (b) The content of the child's IEP, including information related to enabling the child:

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

- (1) A statement of the student's present levels of academic achievement and functional performance, including:
 - (a) How the student's disability affects the student's involvement and progress in the general education curriculum
- (3) A statement of the special education and related services and supplementary aids and services,
- (8) Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and updated annually thereafter, the IEP shall include:
 - (a) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills; and
 - (b) The transition services (including courses of study) needed to assist the student in reaching those goals;

Corrective Action:

Prong 1: Correct each individual case of noncompliance		
Timeline for Completion: 45 calendars day from the report date listed above.		
Student:	Required Action:	Data To Be Submitted:
Student File # 1: This student was reported on child count under the category of 510. The IEP did not adequately address all content areas:	The responsible school district will need to amend the IEP to provide a clear description of services.	The district will need to submit: <ul style="list-style-type: none"> 1) The amended IEP 2) The Parental Written Prior Notice

1) There was not a clear description of services the district/agency was committed to provide on behalf of the student.		
Date Data Submitted: Status:		

Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.
Required Action: The placing school district will ensure each student's IEP adequately addresses all content areas.
Data To Be Submitted: The school district will submit the following for one transition age student (preferably for a different student placed at a residential facility, but if the district has no other transition age students placed at a residential facility, the district may submit the IEP for a transition age student in the school setting): <ol style="list-style-type: none"> 1. A copy of the current IEP
Target Date for Completion: December 20, 2013

Student:	Required Action:	Data To Be Submitted:
Student File # 2: This student was reported on child count under the category of 510. <ol style="list-style-type: none"> 1) Although the agency conducted a transition assessment, it did not adequately all areas of transition. 2) The IEP did not adequately address all content areas: <ol style="list-style-type: none"> A. The Present Level of Academic Achievement and Functional Performance did not adequately address how the student's disability affects progress in the general curriculum. B. There was not a clear description of services the district/agency was committed to provide on behalf of the student. C. The IEP did not reflect the student's 	The agency will need to: <ol style="list-style-type: none"> 1) Conduct a more comprehensive transition evaluation 2) Develop a report to reflect the transition evaluation results 3) Develop a new IEP to adequately address all areas of the IEP 	The agency will need to submit the following: <ol style="list-style-type: none"> 1) Prior Notice Consent for evaluation for transition 2) Transition report 3) Prior Notice for the IEP meeting 4) New IEP 5) Parental Prior Written Notice

<p>participation with non-disabled peers.</p> <p>D. The IEP did not adequately address transition -Measurable Post-Secondary Goals</p>		
<p>Date Data Submitted:</p> <p>Status:</p>		

<p>Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.</p> <p>Required Action:</p> <p>Community Connections will verify Prong 2 through the Prong 1 submission.</p>

Student:	Required Action:	Data To Be Submitted:
<p>Student File # 3: This student was reported on child count under the category of 505.</p> <ol style="list-style-type: none"> 1) This student's evaluation process was not sufficiently comprehensive as there was not a skill based assessment conducted in the area of behavior which the IEP team could use to develop the IEP. 2) The IEP did not adequately address all content areas: <ol style="list-style-type: none"> A. The Present Level of Academic Achievement and Functional Performance did not adequately behavioral strengths and needs B. There was not a clear description of services the district/agency was committed to provide on behalf of the student because there was no reference as to how much time the district/agency was addressing the behavior goal. C. In the area of transition <ol style="list-style-type: none"> 1) Graduation requirement was not adequately addressed 2) Post-secondary goals were not 	<p>The placing school district will need to:</p> <ol style="list-style-type: none"> 1) Conduct a skill based assessment in the area of behavior 2) Develop a report to reflect the skill based assessment evaluation results 3) Develop a new IEP to adequately all areas of the IEP 	<p>The placing school will need to submit the following:</p> <ol style="list-style-type: none"> 1) Prior Notice Consent for evaluation for skill based assessment 2) Skill based assessment report 3) Prior Notice for the IEP meeting 4) New IEP 5) Parental Prior Written Notice

adequately addressed		
Date Data Submitted: Status:		
Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.		
Required Action: <ol style="list-style-type: none"> 1. The placing school district will ensure each student receives a comprehensive evaluation, which the IEP team will use to develop an IEP to address all the student's needs. 2. The placing school district will ensure each student's IEP adequately addresses all content areas, including transition. 		
Data To Be Submitted: The school district will submit the following for one transition age student (preferably for a different student placed at a residential facility, but if the district has no other transition age students placed at a residential facility, the district may submit the IEP for a transition age student in the school setting): <ol style="list-style-type: none"> 1. The eligibility document 2. A copy of all assessment reports, including transition and behavior, if so required for the disability category 3. A copy of the current IEP 		
Target Date for Completion: December 20, 2013		

Student:	Required Action:	Data To Be Submitted:
Student File # 4: This student was reported on child count under the category of 510. <ol style="list-style-type: none"> 1) The IEP did not adequately address all content areas: <ol style="list-style-type: none"> A. There was not a clear description of services the district/agency was committed to provide on behalf of the student. B. In the area of transition <ol style="list-style-type: none"> 1) Course of Study was not adequately addressed 2) Post-secondary goals were not adequately addressed 	The responsible school district will need to amend the IEP to provide a clear description of services.	The district will need to submit: <ol style="list-style-type: none"> 1) The amended IEP 2) The Parental Written Prior Notice
Date Data Submitted: Status:		
Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.		
Required Action: The placing school district will ensure each student's IEP adequately addresses all content areas, including transition.		

Data To Be Submitted: The school district will submit the following for one transition age student (preferably for a different student placed at a residential facility, but if the district has no other transition age students placed at a residential facility, the district may submit the IEP for a transition age student in the school setting): <ol style="list-style-type: none"> 1. A copy of the current IEP
Target Date for Completion: December 20, 2013